

ORIGINAL

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ROBERT CARL ANDERSON  
Attorney at Law  
DEC 10 12 44 PM 1999

EX PARTE OR LATE FILED

Post Office Box 1001  
Aptos Village, Ca. 95001-1001  
Tel: 831-688-3032  
Fax: 831-688-7032  
e-mail: rcaesq@pacbell.net

EX PARTE OR LATE FILED

December 4, 1999

CC DOCKET NO. 99-333

RECEIVED

99-333

William E. Kennard  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> St. S. W.  
Washington D.C. 20554

JAN 12 2000

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: Breach of Contract and Overcharge by MCI. . Proposed merger, MCI and SPRINT.

Dear Mr. Kennard:

I enclose copies of my letters of this date concerning the above to Bernard J. Ebbers, Chief Executive Officer of MCI WORLDCOM and to the Zone Manager, Pacific Bell.

I understand that MCI and SPRINT are requesting the FCC's approval of a merger of the two companies. If MCI is unable to treat its customer's honestly and fairly before the merger, what assurance does the public have that things will not get worse if the organization grows in size through merger?

Please consider this letter as a citizen's objection to the merger unless the public's interest is protected with enforceable requirements that the new organization observe the rights of its customers under its contracts with them, and treats them honestly and fairly.

Sincerely,



Robert C. Anderson  
cc: Bernard J. Ebbers  
Chief Executive Officer  
MCI WORLDCOM  
cc: Zone Manager, Pacific Bell

No. of Copies rec'd  
List A B C D E

2741

# ROBERT CARL ANDERSON

Attorney at Law

Post Office Box 1001  
Aptos Village, Ca. 95001-1001  
Tel: 831-688-3032  
Fax: 831-688-7032  
e-mail: rcaesq@pacbell.net

December 4, 1999

Bernard J. Ebbers, Chief Executive Officer  
MCI Worldcom  
500 Clinton Center Drive  
Clinton, MS 39056

Re: MCI account #7B374541, Pacific Bell #831 429 8647 385 N 8159 Karen Feistman  
2395 Delaware Ave, 61, Santa Cruz, Ca. 95060-5721

Dear Mr. Ebbers:

Since August of 1999 MCI has been in violation of its service contract with my client Karen Feistman. It has been grossly overcharging her for calls made to Europe on Sundays. She has been contacting MCI's Customer Service department about the breach. She has made innumerable telephone calls and has written five letters, copies of which I enclose. The only response MCI has made to her incontestable complaint has been to send her a terse unsigned form letter offering no explanation or justification for the obvious overcharge (copy enclosed).

Now, to add insult to injury, PACIFIC BELL, MCI's collection agent, has sent her a notice threatening to terminate service on December 10 unless MCI's wrongful overcharge has been paid. It has offered no help to reverse MCI's obvious overcharge.

I enclose a copy of my client's bill for the month of July as proof that my client's contract with MCI provides that charges for European calls made on Sunday are to be at the rate of nine cents a minute. In clear breach of its contract MCI arbitrarily increased the rate after July. MCI's Customer Service department chooses to ignore MCI's contract obligation and seems totally incapable of comprehending the basis for her complaint. I am writing to you to make you aware that MCI's breach of contract will be the basis of the actions I must take to protect my client's rights unless this matter is immediately resolved.

Yours truly,



Robert C. Anderson

cc: William E. Kennard, Chairman  
Federal Communications Commission  
cc: Pacific Bell

**ROBERT CARL ANDERSON**

**Attorney at Law**

---

Post Office Box 1001  
Aptos Village, Ca. 95001-1001  
Tel: 831-688-3032  
Fax: 831-688-7032  
e-mail: rcaesq@pacbell.net

December 4, 1999

Zone Manager  
Pacific Bell  
Payment Center  
Sacramento, Ca. 95887-0001

Re: 757-4298647 385 831 159, Karen Feistman, 2395 Delaware Ave #61, Santa Cruz, Ca.  
95060-5721

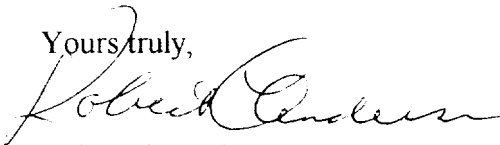
Dear Zone Manager:

I enclose copies of my letters of this date to William E. Kennard, Chairman, Federal Communications Commission and to Bernard J. Ebbers, Chief Executive Officer of MCI.

Pacific Bell, as collection agent for MCI, has acted without justification in threatening to terminate my client's telephone service because she disputes the correctness of MCI's charges. I have enclosed copies of the disputed bill and my client's letters attempting to point the error out to MCI. As I noted in my letter to Mr. Ebbers, my client's complaint has been given absolutely no consideration.

If my client's service is terminated because of MCI's breach of its contract with her, I shall have to take remedial action against Pacific Bell as well as MCI. I therefore suggest that it might be prudent of Pacific Bell to cease making threats to terminate my client's service and to give its assistant to resolving this matter.

Yours truly,



Robert C. Anderson  
cc: Bernard J. Ebbers  
CEO, MCI  
cc: William E. Kennard  
Chairman, FCC

Karen Feistman  
2395-61 Delaware Avenue  
Santa Cruz, CA 95060

COPY (K)

September 24, 1999

MCI World Com  
Customer Service, Research Department  
PO Box 4679  
Iowa City, Iowa 52244

Gentlemen:

Ref: Telephone No. 831-429-8647

For the second month in a row we have been incorrectly billed for our European phone calls made on Sundays. On August 16 my husband talked to Dolores, one of your operators requesting a correction to our August 5 bill. She suggested that we send a copy of the portion in question so that the bill could be sent back to us with the new, CORRECTED, amount. This we did immediately since we were leaving on a trip soon thereafter and wanted the problem solved.

Upon our return we opened your September 5 bill and found that not only have you included the incorrect bill of August 5 (for \$88.48), but you have again billed us incorrectly for our European calls as of September 5. You must know that I pay only 0.09 cents a minute for all calls to Europe on Sundays, and not some erratic amount. This time we spoke with Mark from your office, who also suggested we send the copy back.

Please note on page 6 of your September 5 bill that we have marked with an "X" 8 of the numbers that you are charging us with. Although I won't contest having called those two numbers, I definitely know that I did not dial them every one or two minutes. A very strange bill indeed.

This is the second month in a row that we are doing as was suggested and hope that this time it will work. Please correct the two bills for the months of August and September, and you will immediately receive a check for the corrected amount. We are sending this certified with return requested so that the matter can be solved immediately, once and for all.

Sincerely,

Karen Feistman

Encls: Copies of August and September bills

Karen Feistman  
2395-61 Delaware Avenue  
Santa Cruz, CA 95060

COPY

October 5, 1999

MCI World Com  
Customer Service, Research Department  
PO Box 4679  
Iowa City, Iowa 52244

Gentlemen:

Ref: Telephone No. 831-429-8647

In response to your letter of September 22 (copy attached) which I received today, I have a few questions which need to be answered immediately.

1. Are you confusing our two MCI accounts? (831-429-1155 and 429-8647)?
2. When did you remove my name from your .09 c. A minute to Europe on Sundays program? and
3. Why was I not informed that my name was deleted from your program and I would no longer be able to call Europe on Sundays for .09 c. A minute?

As you can see, I need an answer to these questions as soon as possible. I am just as interested as you are in solving this puzzle.

Sincerely,

Karen Feistman

Encl. Copy of your letter of September 22, 1999  
Copy of my letter of September 24, 1999

Karen Feistman  
2395-61 Delaware Avenue  
Santa Cruz, CA 95060

October 15, 1999

MCI World Com  
Customer Service, Research Department  
PO Box 4679  
Iowa City, Iowa 52244

Gentlemen:

**Ref: Telephone No. 831-429-8647**

Once more I have to address you regarding my letters of September 24, 1999 and October 5, 1999 to which I had attached copies of your phone bills of August 5 and September 5, 1999.

Today I received your new bill dated October 5, 1999 with the new charges of \$246.20 and reminding me that late charges will be applied as of November 8, 1999 if payment is not received.

I know my two letters were received by you since you signed the Return Receipts Requested.

What do I have to do to get a reply from you? Is there any way that I can be informed by you why this matter is being totally ignored? Does MCI World normally just delete its clients from an agreed program--in this case the 0.09 c. a minute on Sunday calls to Europe? Does MCI just decide to delete its clients from this program without even informing them?

I expect to receive a letter with explanation and reduction of charges by the end of October. If I do not receive such a letter the matter will have to be taken over by my lawyer.

Sincerely,

Karen Feistman

Encl. Copy of your letter of September 22, 1999  
Copy of my letter of September 24, 1999

COPY (K)

Karen Feistman  
2395-61 Delaware Avenue  
Santa Cruz, CA 95060

October 17, 1999

MCI World Com  
Customer Service, Research Department  
PO Box 4679  
Iowa City, Iowa 52244

Gentlemen:

**Ref: Telephone No. 831-429-8647**

After corresponding with you since September 22, 1999 and after having spent several hours on the telephone with several of your departments, punching all the numbers required by your diverse recordings, staying on hold, being connected to the wrong department, starting the whole procedure over and over again, to be told that they could not help me because the equipment was being upgraded, I have taken it upon myself to figure out the cost of all my calls to Europe at \$0.09 cents on Sundays and at \$0.25 on Mondays, and have sent you the corrected total for the bills of August, September and October 1999.

Copies of these totals are included together with my check for \$117.26.

This matter will from now on be taken up by my lawyer unless I receive a letter from you informing me that the problem has been settled.

Sincerely,

Karen Feistman

Encl.

Karen Feistman  
2395-61 Delaware Avenue  
Santa Cruz, CA 95060

October 18, 1999

Pacific Bell  
Payment Center  
Sacramento, CA 95887-0001

REF: Phone No,(831)429-8647

Gentlemen,

For several weeks now I have been corresponding with MCI World regarding my incorrectly charged international calls to Europe. Unfortunately they have not had the courtesy to answer my letters or call me back.

Finally, in an attempt to settle this bothersome matter, I figured out the correct charges, which as per agreement with MCI were to be \$0.09 a minute if I called any country in Europe on Sundays, and sent them the total of \$117.26 for the bills dated August 5, 1999, September 5, 1999, and October 5, 1999.

Unfortunately, I realized much too late, part of that sum belongs to you for your charges for the three mentioned months. I hope you will be able to clear the matter up with MCI.

Copies of my correspondence with MCI as well as how I arrived at this total are enclosed for your information.

Sincerely,

Karen Feistman

Encl.

cc: MCI World

*www.MCIWorld.com*  
*Customer Research Dept*  
*1000*  
*200 E. Main St.*  
*San Jose, CA 95131*



KAREN FEISTMAN  
2395 DELAWARE AVE SPC 61  
SANTA CRUZ, CA 95060-5721



November 12, 1999  
Telephone Number: 831-429-1155  
Account Number: 7B137964

**Your Account at Your Fingertips!**

Manage your account with MCI  
WorldCom's Online Account Manager  
[www.mci.com/service](http://www.mci.com/service)

Dear Karen Feistman:

Thank you for your recent MCI WorldCom<sup>SM</sup> request.

After a thorough investigation, we have determined that the disputed charges are legitimate and therefore no credit is warranted at this time.

Save time and money with MCI WorldCom's alternative payment options. Pay your bill by credit card or through direct debit. Visit MCI WorldCom's Online Account Manager at [www.mci.com/service](http://www.mci.com/service) or call Customer Service to find out more.

If you have any questions, MCI WorldCom's Online Account Manager is the most convenient way to service your account. View your statement, add or change services, update your account information and more. Go online today at [www.mci.com/service](http://www.mci.com/service) or call Customer Service toll-free at 1 800 444-3333, 24 hours a day, 7 days a week.

Sincerely,

MCI WorldCom Customer Service

Account Number  
831 429-8647 385 N 8159

Statement Date  
Jul 5, 1999

Page 5

MCI WorldCom Account Number  
7B374541

Questions about your MCI WorldCom bill?  
800-999-1909  
Or, for automated touch-tone service:  
800-888-PRESS (800-888-7737)



Collect Miles without Leaving the Ground! (continued)

spend on MCI WorldCom services, excluding taxes and credits.

#### Long Distance

Calls from 831-429-8647:

	Date	Time	Place and Number Called	Type+	Rate+	Minutes	Amount
1.	May25	6:17pm	GRIDLEY CA 530 846-2283	Direct	Day	16	1.60
2.	May27	8:27pm	ADDISON TX 972 387-1454	Direct	Night	46	5.52
3.	May30	6:35pm	5c BROOKLIMA 617 277-6090	Direct	Night	1	.05
4.	May30	6:36pm	CANOGAPARKCA 818 703-7813	Direct	Night	1	.10
5.	Jun 1	9:00pm	LOSANGELESCA 323 939-3229	Direct	Night	7	.70
6.	Jun 3	4:32pm	DIR ASST CA 805 555-1212	Direct	Day	2	1.40
7.	Jun 3	4:34pm	DIR ASST CA 805 555-1212	Direct	Day	2	1.40
8.	Jun 3	5:37pm	DIR ASST CA 805 555-1212	Direct	Day	2	1.40
9.	Jun 3	5:39pm	ARROYOGRNDCA 805 473-8753	Direct	Day	1	.10
10.	Jun 3	5:40pm	LAKEHUGHESCA 661 724-1532	Direct	Day	1	.10
11.	Jun 3	5:41pm	DIR ASST CA 805 555-1212	Direct	Day	2	1.40
12.	Jun 3	5:43pm	SANBARBARACA 805 965-5818	Direct	Day	1	.10
13.	Jun 4	10:14am	SAN MONICACA 310 455-3411	Direct	Day	3	.30
14.	Jun 5	8:04pm	SAN MONICACA 310 455-3411	Direct	Night	9	.90

Total Calls from 831-429-8647: 15.07

Total Long Distance 15.07

#### International Long Distance

Calls from 831-429-8647:

	Date	Time	Place and Number Called	Type+	Rate+	Minutes	Amount
15.	May30	11:01pm	GERMANY 49810631417	Direct	Econ	8	.72
16.	May30	11:43pm	GERMANY 498131705222	Direct	Econ	8	.72
17.	May30	11:54pm	GERMANY 49810631417	Direct	Econ	7	.63
18.	Jun 6	10:39am	GERMANY 4951084100	Direct	Std	9	.81
19.	Jun 6	11:45am	GERMANY 49810631417	Direct	Std	4	.36
20.	Jun13	10:15am	GERMANY 49707164692	Direct	Std	9	.81
21.	Jun13	12:01pm	GERMANY 49810631417	Direct	Std	22	1.98

Total Calls from 831-429-8647: 6.03

Total International Long Distance 6.03

#### Dial for Miles®

As a member of the MCI/AAdvantage program you earn five miles for each \$1 you spend on MCI WorldCom™ services (excluding taxes, credit & discounts). For details call 1-800-999-1909.

#### Other Fees

Partner airline customers may notice a slight increase in their surcharges. This is the result of a federally imposed Federal Excise Tax (FET) on airline miles which MCI WorldCom™ passes to airline partner customers in the form of a minimal surcharge when the miles have been

continues

+ See Reverse of Face Page for Type and Rate Information.

PACIFIC\*BELL.

HAVE YOU FORGOTTEN TO PAY YOUR TELEPHONE BILL?  
IF SO,  
YOUR TELEPHONE SERVICE MAY BE TEMPORARILY DISCONNECTED

If you have sent your payment, we apologize for sending you this notice.

As of 11/29/99 our records show that your account  
831-429-8647 385 is due in the amount of \$246.20.

\$246.20 AMOUNT DUE FOR BASIC SERVICE PROVIDED  
BY PACIFIC BELL.

If this amount has not been received, or charges disputed, by  
12/10/99, your service may be temporarily disconnected because  
your bill became delinquent prior to this date.

If your basic service is temporarily disconnected, you will be  
required to pay a restoral charge of \$20.00 for each of your  
telephone lines (or applicable new service charges as noted\*),  
a security deposit of \$150.00, and full payment of the  
outstanding balance to restore the service. Your service will  
remain temporarily disconnected for only seven calendar days.  
Afterwards, your service will be permanently disconnected if you  
have not paid all delinquent charges. Please note that the  
installation charges for new service are more than the  
restoral charge for temporarily disconnected service.

\$0.00 AMOUNT DUE FOR NON-BASIC SERVICE

Pacific Bell will not disconnect your basic telephone service  
solely for non-payment of 900, 976 or 700 Information Services,  
or other non-basic services such as voice mail, electronic mail,  
voice store and forward, fax store and forward, directory  
advertising and inside wire installation. Pacific Bell reserves  
the right to remove or pursue other collection actions for any  
unpaid non-basic services. For further details, see the back  
of your bill.

IF YOU HAVE ANY QUESTIONS PLEASE CALL PACIFIC BELL AT  
1-800-300-5099.

\$246.20 TOTAL AMOUNT NOW DUE. PLEASE PAY THIS AMOUNT  
BY 12/10/99

Please Detach and Return This Portion With Your Payment  
Restoral: \$20.00 Deposit: \$150.00 Amount Due: \$246.20  
Payment Due By: 12/10/99 Account Number: 831-429-8647 385 N8

x101 1 2 A 6538 13082

8752.3.85.22941 1 AT 0.261 SJ/HJ

|||||  
KAREN FEISTMAN  
2395 DELAWARE AV 61  
SANTA CRUZ CA 95060-5721

|||||  
PACIFIC BELL  
PAYMENT CENTER  
SAC CA 95887-0001

757 4298647 385 831 159

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